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Attorneys for Plaintiff

STREET SPIRIT IP LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STREET SPIRIT IP LLC,
Plaintiff,
v.
META PLATFORMS, INC. AND
INSTAGRAM
Defendant.

Case No.:

**PLAINTIFF'S ORIGINAL COMPLAINT
FOR PATENT INFRINGEMENT**

(35 U.S.C. § 271)

DEMAND FOR JURY TRIAL

Street Spirit IP LLC ("Street Spirit") files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 9,282,090 ("the '090 patent") (referred to as the "Patent-in-Suit") by Meta Platforms, Inc. and Instagram ("Defendant" or "Instagram").

I. THE PARTIES

1. Street Spirit IP LLC is a Texas Limited Liability Company with its principal place of business located in Travis County, Texas.

1 2. On information and belief, Instagram is a corporation organized under the laws of the State
2 of Delaware with a principal place of business at 1 Hacker Way, Bldg. 10, Menlo Park, CA 94025.

3 3. On information and belief, Instagram sells and offers to sell products and services throughout
4 California, including in this judicial district, and introduces products and services that perform
5 infringing methods or processes into the stream of commerce knowing that they would be sold in
6 California and this judicial district. Instagram can be served with process through their registered
7 agent, Corporation Service Company dba CSC - Lawyers Incorporating Service Company, 211 E.
8 7th Street, Suite 620, Austin, TX, 78701, or wherever they may be found.

10 **II. JURISDICTION AND VENUE**

11 4. This Court has original subject-matter jurisdiction over the entire action pursuant to 28
12 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to
13 patents, namely, 35 U.S.C. § 271.

14 5. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within
15 or has minimum contacts within the State of California and this judicial district; (ii) Defendant has
16 purposefully availed itself of the privileges of conducting business in the State of California and in
17 this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business
18 contacts and other activities in the State of California and in this judicial district.

19 6. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has
20 committed acts of infringement and has a regular and established place of business in this District.
21 Further, venue is proper because Defendant conducts substantial business in this forum, directly or
22 through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii)
23 regularly doing or soliciting business, engaging in other persistent courses of conduct and/or
24 deriving substantial revenue from goods and services provided to individuals in California and this
25 District.
26
27
28

1 **III. DIVISIONAL ASSIGNMENT**

2 7. Pursuant to Civ. L.R. 3-2(c) and 3-5(b), this action involves intellectual property rights and
3 will be assigned on a district-wide basis.

4 **IV. INFRINGEMENT**

5 **A. Infringement of the '090 Patent**

6 8. On March 8, 2016, U.S. Patent No. 9,282,090 (“the '090 patent”, attached as Exhibit A)
7
8 entitled “Methods and systems for identity verification in a social network using ratings,” was duly
9 and legally issued by the U.S. Patent and Trademark Office. Street Spirit IP LLC owns the '090
10 patent by assignment.

11 9. The '090 patent relates to a novel and improved identity verification and management for a
12 social network system.

13 10. Defendant maintains, operates, and administers systems, products, and services for enabling
14 a method of providing customer relationship management for a network that infringes one or more
15 claims of the '090 patent, including one or more of claims 1-28, literally or under the doctrine of
16 equivalents. Defendant put the inventions claimed by the '090 Patent into service (i.e., used them);
17 but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products
18 and services would never have been put into service. Defendant’s acts complained of herein caused
19 those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of
20 monetary and commercial benefit from it.
21

22 11. Support for the allegations of infringement may be found in the chart attached as exhibit B.
23 These allegations of infringement are preliminary and are therefore subject to change.
24

25 12. Defendant has and continues to induce infringement. Defendant has actively encouraged or
26 instructed others (e.g., its customers and/or the customers of its related companies), and continues
27 to do so, on how to use its products and services (e.g., method of providing security against
28

1 cybercrimes using an identification-secured network, the identification-secured network configured
2 to provide security against Internet-related crimes including cyberstalking and cyber-bullying) and
3 related services that provide question and answer services across the Internet such as to cause
4 infringement of one or more of claims 1-28 of the '090 patent, literally or under the doctrine of
5 equivalents. Defendant, from at least the filing date of the lawsuit, has continued to encourage and
6 instruct others on how to use the products showing specific intent. Moreover, Defendant has known
7 of the '090 patent and the technology underlying it from at least the issuance of the patent.

9 13. Defendant has and continues to contributorily infringe. Defendant has actively encouraged
10 or instructed others (e.g., its customers and/or the customers of its related companies), and continues
11 to do so, on how to use its products and services (e.g., method of providing security against
12 cybercrimes using an identification-secured network, the identification-secured network configured
13 to provide security against Internet-related crimes including cyberstalking and cyber-bullying) and
14 related services that provide question and answer services across the Internet such as to cause
15 infringement of one or more of claims 1-28 of the '090 patent, literally or under the doctrine of
16 equivalents. Defendant, from at least the filing date of the lawsuit, has continued to encourage and
17 instruct others on how to use the products showing specific intent. Moreover, Defendant has known
18 of the '090 patent and the technology underlying it from at least the issuance of the patent.

20 14. Defendant has caused and will continue to cause Plaintiff damage by direct and indirect
21 infringement of (including inducing infringement of) the claims of the '090 patent.

23 **V. PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff prays for relief as follows:

- 25 a. enter judgment that Defendant has infringed the claims of the '050 patent;
- 26 b. award Plaintiff damages in an amount sufficient to compensate it for Defendant's
27 infringement of the Patents-in-Suit in an amount no less than a reasonable royalty or lost
28

- 1 profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. §
2 284;
- 3 c. award Plaintiff an accounting for acts of infringement not presented at trial and an award by
4 the Court of additional damage for any such acts of infringement;
- 5 d. declare this case to be “exceptional” under 35 U.S.C. § 285 and award Plaintiff its attorneys’
6 fees, expenses, and costs incurred in this action;
- 7 e. declare Defendant’s infringement to be willful and treble the damages, including attorneys’
8 fees, expenses, and costs incurred in this action and an increase in the damage award
9 pursuant to 35 U.S.C. § 284;
- 10 f. a decree addressing future infringement that either (i) awards a permanent injunction
11 enjoining Defendant and its agents, servants, employees, affiliates, divisions, and
12 subsidiaries, and those in association with Defendant from infringing the claims of the
13 Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an
14 amount consistent with the fact that for future infringement the Defendant will be an
15 adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the
16 future infringement will be willful as a matter of law; and
- 17 g. award Plaintiff such other and further relief as this Court deems just and proper.

18 Dated: February 27, 2023

19 Respectfully submitted,

20 RAMEY LLP

21 /s/ Susan S.Q. Kalra

22 Susan S.Q. Kalra (CA State Bar No. 16740)

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9 *Attorneys for Plaintiff*

10 ***STREET SPIRIT IP LLC***

11 **DEMAND FOR JURY TRIAL**

12 Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff Street Spirit IP LLC hereby
13 demands a trial by jury on all issues so triable.

14 Dated: February 27, 2023

Respectfully submitted,

15 RAMEY LLP

16 /s/ Susan S.Q. Kalra

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